

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

WILLIAM DAVIDSON HAMBY, JR.]
Plaintiff,]
]]
v.] No. 3:12-0879
] Judge Trauger
METRO NASHVILLE POLICE]
DEPARTMENT, et al.]
Defendants.]

ORDER

The Court has before it plaintiff's motions to amend (Docket Entry Nos. 54 and 55), a Report and Recommendation (Docket Entry No. 57) from the Magistrate Judge, and defendants' objections (Docket Entry Nos. 59 and 60) to the Report and Recommendation.

In accordance with the Memorandum contemporaneously entered, the Court has reviewed these pleadings and the record *de novo* and finds that the Report and Recommendation should be ADOPTED in part and REJECTED in part.

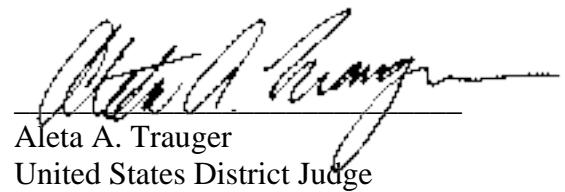
The Report and Recommendation is adopted to the extent that plaintiff's motions to amend are DENIED in all regards with the exception of plaintiff's request to drop Commander Brian Johnson as a defendant. The Report and Recommendation is also adopted to the extent that it recommends the DISMISSAL WITHOUT PREJUDICE of plaintiff's claims related to his arrest and prosecution (i.e. false arrest, false imprisonment, illegal search, lack of due process, conspiracy, bias and negligence).

The Report and Recommendation, however, is rejected to the extent that it would require the

defendants to answer the plaintiff's remaining claims. The Court finds merit in the defendants' objections and said objections are SUSTAINED. The plaintiff has failed to state a claim against the remaining defendants. For that reason, those claims are DENIED and the instant action is hereby DISMISSED. 28 U.S.C. § 1915(e)(2).

Entry of this order shall constitute the judgment in this matter.

It is so ORDERED.



Aleta A. Trauger
United States District Judge